

Remarks

Claims 1, 2 and 4-12 were pending before entry of this amendment. Claims 1, 4, 9 and 10 are hereby amended. Claims 2-3 are cancelled. Claims 13-17 (corresponding to claims 4-8 that were objected to) are newly presented. Reexamination and reconsideration are respectfully requested.

The subheadings below conform with those used in the Office Action to which this submission is responsive.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 3,006,443 to Siler.

The Examiner states that “[t]here is a circumferentially extending engagement feature (87) on the mounting element perimeter that comprises a bottom of a groove, engageable at points about its circumference with a hanging support attached to the object to be mounted thereon.”

Applicant respectfully disagrees with the Examiner's characterization of Siler.

Claim 1 as amended for clarity calls for “a generally disc shaped mounting element having . . . a back surface that engages a front surface of the wall” In contrast, Siler's adapter 85 has a back surface that is received within the opening 91 of the section 90 of the member to be attached. Siler therefore fails to disclose an arrangement wherein “a back surface of the disc engages a front surface of the wall.”

Additionally, the claimed invention calls for “a circumferentially extending engagement feature on said mounting element comprising a groove that is spaced apart from the front surface of the wall” In contrast, Siler's threads 87 are received by mating threads within the opening 91 of the member 90. They therefore are not “spaced apart from the front surface of the wall.”

The claimed invention calls for “a groove” that extends circumferentially on the perimeter of the mounting element. In contrast, Siler discloses a set of helical threads. “. . . threads 87 are provided so that they may cooperate with threads 92 arranged within the

opening 91 in fragmentary section 90 of a member to be attached in fixed relation to some other member (not shown).” ’443 Patent, col. 7, lines 9-13.

For at least these reasons, it cannot be said that claim 1 is anticipated by Siler.

Claim 2 is cancelled. Its limitations now appear in claim 1.

Claim Rejections - 35 U.S.C. § 103

Claims 9 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Siler. Also relevant to Applicant's argument against the rejection of claim 1, the Examiner admits that “Silas [sic] does not directly disclose the groove as having continuous flared sides extending about the perimeter of the mounting element.”

In fact, Siler teaches away from the invention as defined in claim 9. That claim incorporates the limitations of claim 1. Thus, the claimed invention requires a “groove [with] continuous flared sides . . . that is spaced apart from the front surface of the wall [and] is engageable about its circumference with a hanging support attached to said object to be mounted thereon” Siler lacks such a disclosure or suggestion: the adapter 85 of Siler has threads 87 that intermesh with mating threads 92 arranged within the opening 91” ’443 Patent, 7:9-13.

The structural and functional differences between the claimed invention and Siler are such that the invention as defined by claim 9 cannot be said to be rendered obvious under 35 U.S.C. § 103(a) in light of Siler.

Claim 10 incorporates the limitations of claim 1 and rises or falls therewith. The differences between claim 1 and its teaching away from the Siler reference as discussed above are incorporated here by reference. For at least those reasons, it cannot be said that the invention as defined by claim 10 is rendered obvious by Siler.

Allowable Subject Matter

The examiner observes that “[c]laims 4-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.”

The rejected base claim is claim 1, as previously presented. Claim 1, however, is currently amended and is patentably distinguishable from the cited references for the reasons discussed above. The dependency of claim 4 has been changed so that it includes the limitations that formerly appeared in claim 2, but which now appear in claim 1. It therefore is patentable for the reasons discussed above. Claims 5-8 include the limitations of claim 4 and rise or fall therewith. They therefore are allowable, for the reasons discussed above.

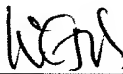
Applicant has rewritten claims 4-8 as claims 13-17 so that they include the limitations of claims 1 and 2 substantially in their previously unamended form.

All formal and substantive requirements for patentability now appear to have been met. It is therefore appropriate to earnestly solicit a Notice of Allowability.

If the Examiner is of a different view, or if any matters can be handled expeditiously by a telephone interview, the Examiner is asked to contact the undersigned so that the privilege of a telephone interview can be exercised before the next Office Action.

Respectfully submitted,

Kevin Jump

By 
William G. Abbatt
Reg. No. 31,936
Attorney/Agent for Applicant

Date: November 6, 2007
BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351